

### **REMARKS**

Claims 1-18 and 20 are pending. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

#### **Claim Rejections Under 35 U.S.C. § 103**

**A.** Claims 1-4 were rejected under 35 U.S.C. § 103(a) over DeBoer et al. (U.S. Patent No. 5,910,880). Applicants respectfully traverse this rejection.

Claim 1 recites, in part, a method for fabricating a capacitor of a semiconductor device which includes forming a lower electrode on a semiconductor substrate and forming a dielectric layer on the lower electrode by nitriding an upper surface of the lower electrode using in-situ plasma before forming a first amorphous TaON thin film. The Office Action indicates that DeBoer teaches forming a lower electrode 34 on a substrate 32 and forming a first amorphous TaON layer 38 on the lower electrode. The Office Action then alleges that DeBoer teaches nitriding an upper surface of the lower electrode using in-situ plasma before forming a first amorphous TaON thin film, relying on column 4, lines 39-41). Applicants respectfully disagree. DeBoer actually teaches (column 4, lines 39-41) converting the amorphous layer 38 to a crystalline form, not the lower electrode 34. Accordingly, Deboear does not teach or suggest nitriding an upper surface of the lower electrode using in-situ plasma before forming a first amorphous TaON thin film, as recited in claim 1.

Claims 2-4 are believed allowable for at least the same reasons presented above with respect to claim 1 by virtue of their dependence upon claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

**B.** Claims 5-18 and 20 were rejected under 35 U.S.C. § 103(a) over DeBoer in view of Yang et al. (U.S. Patent No. 5,956,594) Applicants respectfully traverse this rejection.

Claim 20 is believed allowable for at least the same reasons presented above with respect to claim 1 because claim 20 recites, nitriding the upper surface of the lower electrode. As discussed above, DeBoer does not teach or suggest such a feature and Yang does not remedy this deficiency.

Claims 5-18 are believed allowable for at least the same reasons presented above with respect to claim 1 by virtue of their dependence upon claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

**Conclusion**

In view of the foregoing, the claims are believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Please charge any fees associated with the submission of this paper to Deposit Account Number 03-3975 under Order No. 82118/275264. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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